IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPEALLATE JURISDICTION

CIVIL APPLICATION NO. 494 OF 2006
IN
SECOND APPEAL NO. 178 OF 2005

Shri Janardhan Sakharam Paigude ...Applicant
V/s.
Shri Kundlik Sakharam Paigude & Ors. ...Respondents

Shri S.J. Rairkar for the Applicant.
Shri P.K. Dhakhephalkar alongwith Mr.S.R. Nargolkar for the Respondents.

CORAM : D.B. BHOSALE, J.

DATED : JANUARY 31, 2007

P.C. :-

1. Admittedly, only six properties, that is, properties at serial nos.7 to 12 as described in paragraph one of the Regular Civil Suit No.717 of 2002 are in dispute in the present appeal. Out of these properties, in the properties at serial nos.9, 10 and 11, third party rights have already been created. In so far as remaining three properties, that is, at serial nos.7, 8 and 12 are concerned, I am satisfied that the following order will meet the ends of justice :-

2. Respondents/defendants shall not create third party rights or part with possession in respect of the following properties without permission of the Court, viz.:- 1) Survey No.50/1/2A, 2) Survey No.89(old 93), 3) Survey No.51, as described in the first paragraph of the

plaint.

. With these observations, Civil Application is disposed of.

(D.B. BHOSALE, J.)